

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,  
and Bernard L. Madoff,

Plaintiff,

v.

THE PUBLIC INSTITUTION FOR SOCIAL  
SECURITY,

Defendant.

Adv. Pro. No. 12-01002 (CGM)

**DECLARATION OF BRIAN W. SONG IN OPPOSITION TO  
DEFENDANT’S MOTION TO DISMISS THE COMPLAINT**

I, Brian W. Song, declare the following:

1. I am a Partner with the law firm of Baker & Hostetler LLP, counsel to Irving H. Picard, as trustee (“Trustee”) for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III (“SIPA”), and the chapter 7 estate of Bernard L. Madoff. I submit this Declaration in opposition to Defendant’s Motion to Dismiss the Complaint.

2. Wafra Investment Advisory Group (“Wafra”) is a global investment advisory firm and was founded in 1985 to manage PIFSS’s investments in the U.S.. Upon information and belief, Wafra did so on behalf of PIFSS by conducting investment research on Sentry, and otherwise acting on its behalf as its U.S. agent and investment adviser.

3. Attached hereto as Exhibit 1 is a true and correct copy of a Fairfield Sentry Limited Information Memorandum dated January 1, 1998 (SECSEV3381092-SECSEV3381126).

4. Attached hereto as Exhibit 2 is a true and correct copy of a Fairfield Sentry Limited Subscription Confirmation dated October 1, 2000 (ANWAR-CFSE-00651498-ANWAR-CFSE-00651499).

5. Attached hereto as Exhibit 3 is a true and correct copy of a Fairfield Sentry Limited Subscription Form dated July 1, 1999 (ANWAR-CCI-00084102).

6. Attached hereto as Exhibit 4 is a true and correct copy of a Fairfield Sentry Limited Subscription Form dated March 1, 1999 (ANWAR-CCI-00154789-ANWAR-CCI-00154790).

7. Attached hereto as Exhibit 5 is a true and correct copy of a Fairfield Sentry Limited Redemption dated April 11, 2003 (ANWAR-CFSE-00317812).

8. Attached hereto as Exhibit 6 is a true and correct copy of a Fairfield Sentry Limited Redemption dated January 20, 2004 (ANWAR-CFSE-00319437).

9. Attached hereto as Exhibit 7 is a true and correct copy of Emails dated November 17, 2003, documenting a meeting with FGG (FG-01359851-FG-01359852).

10. Attached hereto as Exhibit 8 is a true and correct copy of an Email dated December 8, 2006, documenting a meeting with FGG (FG-00230052).

11. Attached hereto as Exhibit 9 is a true and correct copy of an Email dated July 29, 2008, regarding a scheduled meeting with FGG (FG-01830184-FG-01830185).

12. Attached hereto as Exhibit 10 is a true and correct copy of Emails dated October 8, 2003, regarding Wafra meeting with FGG and conducting research on Sentry and Madoff (FG-05830254-FG-05830255).

13. Attached hereto as Exhibit 11 is a true and correct copy of Emails dated December 12, 2006, regarding Wafra's investment in Fairfield Sentry (FG-00230823-FG-00230825).

14. Attached hereto as Exhibit 12 is a true and correct copy of Emails dated May 22-23, 2003, regarding FGG meeting with Wafra (pre-meeting background) (FG-01288351-FG-01288352).

15. Attached hereto as Exhibit 13 is a true and correct copy of Emails dated June 2, 2003, regarding FGG meeting with Wafra (post-meeting notes) (FG-01288574-FG-01288575).

Dated: April 26, 2022  
New York, New York

Respectfully submitted,

BAKER & HOSTETLER LLP

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